

FILED
U.S. DISTRICT COURT

2011 OCT 25 P 12:24

DISTRICT OF UTAH

BY: _____
DEPUTY CLERK

My Name Jesse Majors
Address 6649 South 5500 West
City, State, Zip West Jordan, Utah 84081
Phone 801-360-6880
E-mail _____

I am the ☒ Plaintiff
☐ Attorney for the Plaintiff and my Utah Bar number is _____

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

CENTRAL DIVISION

JESSE ANNE MAJORS

Plaintiff,

vs.

THOMAS JEFFERSON SCHOOL OF
LAW, et al.

Defendants.

**MOTION FOR APPOINTMENT
OF SUBSTITUTE PRO BONO
COUNSEL**

Case No. 2:11cv00558 CW

Judge Clark Waddoups
Magistrate Judge Samuel Alba

BACKGROUND

In response to Order Granting Withdrawal of Counsel, Plaintiff Jesse Majors is submitting this Motion for Appointment of Substitute Pro Bono Counsel.

ARGUMENT

It is Plaintiff's contention, that previous counsel, Shane Shumway, was unwilling to assist Plaintiff in this lawsuit as evidenced by: (1) the lack of any motions submitted to the court

13 on Plaintiff's behalf, (2) Counsel's request to withdraw as counsel, (3) Plaintiff's email
14 indicating her ~~sense~~ of Counsel's unwillingness and (4) Plaintiff's subsequent permission for
15 Counsel to withdraw.

16 Plaintiff also contends that previous counsel violated Rules of Professional Conduct by
17 not communicating to Plaintiff, emailed correspondence between Defense Counsel, Robert
18 Wilde, and Plaintiff Counsel, Shane Shumway, that would most likely have granted Plaintiff a
19 portion of the relief requested in her original complaint, specifically, the award of her graduation
20 certificate and diploma. (Plaintiff directs the court to refer to her Motion for Mandatory
21 Injunction of Diploma, mailed October 24, 2011.)

22 In that Motion, Plaintiff has attached emails from Defense Counsel, Robert Wilde, to
23 Plaintiff Counsel, Shane Shumway, that indicate Defendants Thomas Jefferson School of Law
24 and Rudy Hasl, would have awarded Plaintiff her diploma if Plaintiff had "satisfactorily
25 responded" to Rudy Hasl's email (which is also attached to Motion for Mandatory Injunction),
26 which Plaintiff indeed *already performed* beyond a reasonable degree (proof of which is also
27 attached to Motion for Mandatory Injunction).

28 Plaintiff contends that if Shane Shumway had been a competent and ethical attorney, the
29 court would have received (1) an Amended Complaint (which Defense Counsel had agreed to
30 allow Shane Shumway to have until October 10, 2011 to submit), and (2) confirmation of
31 Service of Process for the other 16 defendants listed in Complaint. (The email from Defense
32 Counsel to Plaintiff Counsel, Shane Shumway, regarding the time extension is attached to this
33 Motion.)

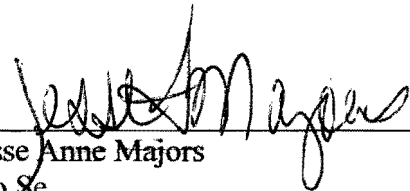
34 Plaintiff is prepared to defend her allegations of unethical and unprofessional conduct
35 against Shane Shumway. However, Plaintiff reserves the right to not disclose that information at
36 this time.

37 THEREFORE,

38 Because all parties in this lawsuit agree that assistance of counsel would be beneficial to
39 Plaintiff, the Defendants, and to the Court, Plaintiff requests that substitute pro bono counsel be
40 appointed to Plaintiff.

41 Dated this 21st day of October, 2011.

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43
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Jesse Anne Majors
Pro Se

Delivery Certificate

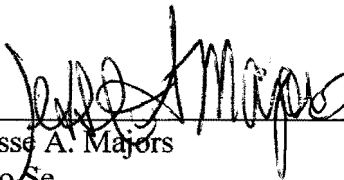
I hereby certify that I caused a true and correct copy of the foregoing Motion to be served by the method(s) indicated below and addressed to the following on this 21st day of October, 2011.

ROBERT H. WILDE #3466
BRUCE M. FRANSON #10792
ROBERT H. WILDE, ATTORNEY AT LAW, P.C.
935 East South Union Avenue Suite D-102
Midvale, Utah 84047
Telephone: (801) 255-4774
Fax: (801) 566-5202
bob@rhwildelaw.com
Attorneys for Defendant Thomas Jefferson School of Law

Delivered:

- ☐ U.S. Mail, Postage Prepaid
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ E-mail
- ☐ CM/ECF Posting

DATED this 21st day of October, 2011.



Jesse A. Majors
Pro Se

Shane Shumway

From: Shane Shumway
Sent: Tuesday, September 20, 2011 2:01 PM
To: Shane Shumway
Subject: FW: Activity in Case 2:11-cv-00558-CW -SA Majors v. Thomas Jefferson School of Law et al Reply Memorandum/Reply to Response to Motion

From: Shane Shumway
Sent: Monday, September 19, 2011 8:33 PM
To: 'Jessemajors@netscape.com'
Cc: John C. Rooker
Subject: RE: Activity in Case 2:11-cv-00558-CW -SA Majors v. Thomas Jefferson School of Law et al Reply Memorandum/Reply to Response to Motion

Hi Jesse,

After I received notice of his Request to Submit for Decision on Friday, I called opposing counsel and told him I was still reviewing this case and requested more time in order to adequately respond to the pleadings. In response he agreed to withdraw the request. He gave me until October 10th to file something in response to his motion to dismiss.

[REDACTED]

Thanks,

Shane

From: Jesse Majors [mailto:Jessemajors@netscape.com]
Sent: Monday, September 19, 2011 7:42 PM
To: Shane Shumway
Subject: Re: Activity in Case 2:11-cv-00558-CW -SA Majors v. Thomas Jefferson School of Law et al Reply Memorandum/Reply to Response to Motion

Hi, Shane,

How are you? Can you give me an update about what might be going on with this? This is kind of strange for him to withdraw his notice. Thanks.

Jesse

THIS ELECTRONIC MESSAGE, INCLUDING ANY ACCOMPANYING DOCUMENTS, IS CONFIDENTIAL and may contain information that is privileged and exempt from disclosure under applicable law. If you are neither the intended recipient nor responsible for delivering the message to the intended recipient, please note that any dissemination, distribution, copying or the taking of any action in reliance upon the message is strictly prohibited. If you have received this communication in error, please notify the sender immediately. Thank you.

--- utd_enotice@utd.uscourts.gov wrote:

From: utd_enotice@utd.uscourts.gov
To: ecf_notice@utd.uscourts.gov
Subject: Activity in Case 2:11-cv-00558-CW -SA Majors v. Thomas Jefferson School of Law et al Reply Memorandum/Reply to Response to Motion
Date: Mon, 19 Sep 2011 17:15:21 -0600

This is an automatic e-mail message generated by the CM/ECF system. If you need assistance, call the Help Desk at (801) 524-6851.

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Electronic Case Filing System

District of Utah

Notice of Electronic Filing

The following transaction was entered by Wilde, Robert on 9/19/2011 at 5:15 PM MDT and filed on 9/19/2011

Case Name: Majors v. Thomas Jefferson School of Law et al

Case Number: 2:11-cv-00558-CW -SA

Filer: Thomas Jefferson School of Law

Document Number: 45

Docket Text:

REPLY to Response to Motion re [3] Defendant's MOTION to Dismiss Amended Complaint MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM *Withdrawing Notice to Submit for Decision* filed by Defendant Thomas Jefferson School of Law. (Wilde, Robert)

2:11-cv-00558-CW -SA Notice has been electronically mailed to:

Bruce M. Franson bmcfranson@qwestoffice.net, bmf23@byulaw.net, wildesecretary@hotmail.com

Robert H. Wilde wilderh@qwestoffice.net, wilderh@hotmail.com, wildesecretary@hotmail.com

Shane J. Shumway sshumway@joneswaldo.com, shane.shumway@gmail.com

2:11-cv-00558-CW -SA Notice has been delivered by other means to:

The following document(s) are associated with this transaction:

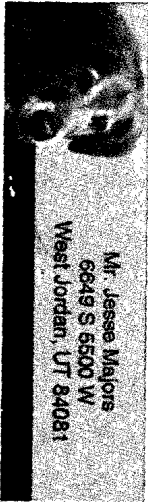
Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1060034973 [Date=9/19/2011] [FileNumber=2062223-0
] [8e602c40289fdca0230e640f5a59e3c8bc21226577048606a38b554da51a9a3c8d0
30fadaac3e3c8d09e2e721679338d09d805eff92807cccb00baf6e8e7123e]]

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Mr. Jesse Majors
6849 S 5500 W
West Jordan, UT 84081

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3500 S. MAIN ST. ROOM 150
SALT LAKE CITY, UT 84101

8410132180

